

MICHAEL H. RUBIN, State Bar No. 214636
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
One Market Plaza
Spear Tower, Suite 3300
San Francisco, CA 94105-1126
Telephone: (415) 947-2000
Facsimile: (415) 947-2099
Email: mrubin@wsgr.com

DAVID H. KRAMER, State Bar No. 168452
DALE R. BISH, State Bar No. 235390
JACOB P. VELTMAN, State Bar No. 247597
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: (650) 493-9300
Facsimile: (650) 493-6811

Attorneys for Defendant
(Additional Counsel listed on Signature Pages)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: GOOGLE ANDROID)	CASE NO. 11-MD-02264 JSW
CONSUMER PRIVACY LITIGATION)	MDL No. 2264
)	
)	
)	STIPULATED VOLUNTARY
This Document Relates to)	DISMISSAL OF NON-
ALL CASES)	PARTICIPATING PLAINTIFFS
)	
)	

1 The parties in the above-entitled actions, by and through their respective attorneys, here-
2 by stipulate to the following:

3 WHEREAS, this consolidated Multidistrict Litigation proceeding consists of eight puta-
4 tive class actions that were centralized in this Court pursuant to orders of the U.S. Judicial Panel
5 on Multidistrict Litigation (“JPML”) dated August 8 and August 19, 2011;

6 WHEREAS, on September 21, 2011, the Court ordered that the eight cases centralized by
7 the JPML, as well as a ninth related action filed in this district, be consolidated for pretrial pur-
8 poses;

9 WHEREAS, the constituent complaints were brought by or on behalf of 18 individual
10 plaintiffs, including Juliann King, Julie Brown, Kayla Molaski, Kendrick Cochran, Nicholas
11 Lawrence, Sid Lajzer, Jon Pessano, Tracey Lipton, Joan Smith, Bryan Hicks, Phillip Hall, Bever-
12 ly Levine, Theodore Spradley, Erin Hillman, Maritsa Urias, Stan Hines, James Jefferys and Jes-
13 sica Jefferys;

14 WHEREAS, following appointment of Interim Co-Class Counsel on September 26, 2011,
15 plaintiffs filed a Consolidated Complaint on November 28, 2011, a First Amended Consolidated
16 Complaint (“FACC”) on January 23, 2012, and a Second Amended Consolidated Complaint
17 (“SACC”) on May 9, 2013, each of which removed certain individuals as named plaintiffs in this
18 action;

19 WHEREAS, plaintiff Juliann King voluntarily dismissed her constituent complaint on
20 May 9, 2013;

21 WHEREAS, as a result of these amendments and dismissal, Kayla Molaski, Erin Hill-
22 man, Stan Hines, Jon Pessano, Tracey Lipton, Julie Brown, Sid Lazjer, Bryan Hicks, Theodore
23 Spradley, James Jefferys, Jessica Jefferys, “M.G.” (a minor) or Juliann King are no longer partic-
24 ipating in these proceedings;

25 WHEREAS, on June 10, 2014 the Court ordered the parties to meet and confer regarding
26 whether constituent actions for which no plaintiff was named in the SACC should be dismissed;
27 and
28

1 WHEREAS, counsel for Google and Interim Co-Class Counsel agree that individuals not
2 named in the SACC, and any constituent actions in which no plaintiff is participating, should be
3 dismissed for all purposes;

4 IT IS SO AGREED that:

- 5 1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC are
6 hereby dismissed, except that such plaintiffs may participate in any settlement or jury
7 award to the same extent as all other unnamed plaintiffs. For the avoidance of doubt,
8 the claims of Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton,
9 Julie Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica
10 Jefferys, and "M.G.," are hereby dismissed.
- 11 2. Any constituent case in which all plaintiffs have been dismissed pursuant to the fore-
12 going are hereby dismissed. For the avoidance of doubt, the member cases *Brown v.*
13 *Google Inc.* (No. 11-cv-04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW),
14 and *Jefferys v. Google Inc.* (No. 11-cv-04429 JSW) are hereby dismissed.
- 15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 DATE: July 3, 2014

/s/ *Michael H. Rubin*

2 Michael H. Rubin
3 WILSON SONSINI GOODRICH & ROSATI
4 Professional Corporation
5 One Market Plaza
6 Spear Tower, Suite 3300
7 San Francisco, CA 94105-1126
8 Telephone: (415) 947-2000
9 Facsimile: (415) 947-2099
10 Email: mrubin@wsgr.com

11 David H. Kramer
12 Dale R. Bish
13 Jacob P. Veltman
14 WILSON SONSINI GOODRICH & ROSATI
15 Professional Corporation
16 650 Page Mill Road
17 Palo Alto, CA 94304-1050
18 Telephone: (650) 493-9300
19 Facsimile: (650) 493-6811
20 Email: dkramer@wsgr.com
21 Email: dbish@wsgr.com
22 Email: jveltman@wsgr.com

23 *Attorneys for Defendant*

1 DATE: July 3, 2014

/s/ William M. Audet

William M. Audet
Jonas P. Mann
AUDET & PARTNERS LLP
221 Main Street
Suite 1460
San Francisco, CA 94105
Telephone: (415) 982-1776
Facsimile: (415) 568-2556
Email: waudet@audetlaw.com
Email: jmann@audetlaw.com

Robert K. Shelquist
Karen Hanson Riebel
LOCKRIDGE GRINDAL NAUEN P.L.L.P
100 Washington Avenue S., Suite 2200
Minneapolis, MN 55401
Telephone: (612) 339-6900
Facsimile: (612) 339-0981
Email: rshelquist@locklaw.com
Email: kriebel@locklaw.com

Interim Co-Lead Class Counsel

14 DATE: July 3, 2014

/s/ Steven T. Budaj

Steven T. Budaj
Paul M. Hughes
STEVEN T. BUDAJ, P.C.
65 Cadillac Square
2915 Cadillac Tower
Detroit, MI 48226
Telephone: (313) 963-9330
Facsimile: (313) 963-9185
Email: stbudaj@counsel.cc
Email: paul@attorneyhughes.com

Attorneys for Julie Brown and Kayla Molaski

1 DATED: July 3, 2014

/s/ Gillian L. Wade

2 Gillian L. Wade
3 Sara D. Avila
4 MILSTEIN ADELMAN, LLP.
5 2800 Donald Douglas Loop North
6 Santa Monica, CA 90405
7 Telephone: (310) 396-9600
8 Facsimile: (313) 396-9635
9 Email: gwade@milsteinadelman.com
10 Email: savila@milsteinadelman.com

Attorneys for Tracey Lipton

11 DATED: July 3, 2014

/s/ Brian W. Smith

12 Brian W. Smith
13 SMITH & VANTURE, LLP
14 1615 Forum Place, Suite 4C
15 West Palm Beach, FL 33401
16 Telephone: (561) 684-6330
17 Facsimile: (561) 688-0630
18 Email: bws@smithvantage.com

Attorneys for James and Jessica Jefferys

CERTIFICATION

I, Michael H. Rubin, am the ECF User whose identification and password are being used to file this **STIPULATION RE: VOLUNTARY DISMISSAL OF NON-PARTICIPATING PLAINTIFFS**. In compliance with Civil Local Rule 5-1(i), I hereby attest that William M. Audet, Steven T. Budaj, Gillian L. Wade, and Brian W. Smith have concurred in this filing.

DATE: July 3, 2014

/s/ Michael H. Rubin

Michael H. Rubin
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
One Market Plaza
Spear Tower, Suite 3300
San Francisco, CA 94105-1126
Telephone: (415) 947-2000
Facsimile: (415) 947-2099
Email: mrubin@wsgr.com

Attorneys for Defendant

**PURSUANT TO STIPULATION, AND GOOD CAUSE APPEARING, IT IS
HEREBY ORDERED THAT**

1. Plaintiffs in any constituent case that were not named as plaintiffs in the SACC, including Kayla Molaski, Erin Hillman, Stan Hines, Jon Pessano, Tracey Lipton, Julie Brown, Sid Lajzer, Bryan Hicks, Theodore Spradley, James Jefferys, Jessica Jefferys, and “M.G.” (a minor), are hereby dismissed.
2. Any constituent case in which all plaintiffs have been dismissed pursuant to the foregoing are hereby dismissed, i.e., the member cases *Brown v. Google Inc.* (No. 11-cv-04573 JSW), *Lipton v. Google Inc.* (No 11-cv-02427 JSW), and *Jefferys v. Google Inc.* (No. 11-cv-04429 JSW), are hereby dismissed.

SIGNED this 7th day of July, 2014.


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE